

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**Expedited handling  
Response after final rejection**

**ELMORE**

Atty. Ref.: **1498-133**

Serial No. **08/981,087**

Group: **1647**

Filed: **May 27, 1998**

Examiner: **Turner, S.**

For: **TYPE F BOTULINUM TOXIN AND USE THEREOF**

\* \* \* \* \*

**October 5, 2001**

Assistant Commissioner for Patents  
Washington, DC 20231

**BOX AF**

Sir:

**SECOND AMENDMENT UNDER RULE 116**

Responsive to the Official Action dated June 5, 2001, and the PETITION  
DECISION dated August 10, 2001, and in place of the Amendment Under Rule 116 filed  
September 5, 2001, entry and consideration of the following amendments and remarks  
are requested; the period for response having been extended up to and including  
October 5, 2001, by submission of the requisite extension petition and fee.

**IN THE CLAIMS**

Amend the claims as follows.

Cancel claims 3, 4, 20, 22, 23, 24 and 27 without prejudice.

Amend the claims as follows:

10/09/2001 CNGUYEN 00000016 08981087

01 FC:115

110.00 OP

Adjustment date: 08/05/2002  
10/09/2001 CNGUYEN 00000016 08981087  
01 FC:115 -110.00 OP

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24/G  
M.G.J  
10/10/01  
(NE)